

In contrast, the objective of the Masachika (sic) system is to provide two different modes of starting a vehicle equipped with various systems such as a seat adjustment system, an air conditioning system, an audio system and the like, each of which may be set to operate in a selected manner. Such objective is achieved by the use of two different ignition keys, one of which functions to emit a signal to activate only the engine and the other of which functions to emit a signal to activate both the engine and such various systems.

Although the Masachika system provides a control unit 12 with memory and a control unit 62 with memory, control unit 12 functions responsive to the signal emitted by key 52 only to activate just device 46 or both device 46 and control unit 62. It does not provide for monitoring any manipulation of any memory of control unit 62 as provided in Applicants claims. Accordingly, it is submitted that Masachika cannot be construed to anticipate the claimed invention. Furthermore, it is submitted that none of the secondary references cited teach any modification of Masachika to provide any monitoring feature to arrive at the claimed invention.

In view of the failure of Masachika to disclose the process of independent claim 1 or the device of independent claim 5, and further the failure of any of the secondary references cited to teach any modification of Masachika to remedy the aforementioned deficiency of Masachika to arrive at the claimed invention, it respectfully is requested that the rejection of Applicants claims be withdrawn, such claims be allowed and further that the application be pass to issue.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith, or credit any overpayment, to our Deposit Account No. 14-1437, under Order No. 8369.005.US0100

Respectfully submitted,



PNL/tmj

Peter N. Lalos  
Registration No. 19,789  
NOVAK DRUCE & QUIGG LLP  
1300 Eye Street, NW  
1000 West Tower  
Washington, D.C. 20005  
Telephone: (202) 659-0100  
Facsimile: (202) 659-0105

Date: September 11, 2008